## JOURNAL OF THE FLORIDA SENATE

## Monday, May 3, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senator Boyd-

SB 1058—A bill to be entitled An act relating to retirement; amending section 10(1) and (4), chapter 70-112, Laws of Florida, appearing as section 121.101(1) and (4), Florida Statutes, 1970 Supplement, to provide that the cost-of-living adjustment of benefits provided for therein shall be made applicable to all retirees and the beneficiaries of all deceased retirees; providing an effective date.

Was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Ways and Means.

By Senator Lewis (43rd)-

SB 1059—A bill to be entitled An act relating to grounds for divorce; amending section 61.041, Florida Statutes, by adding subsection (11), providing that incompatibility shall constitute grounds for divorce; and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senator Graham-

SB 1060—A bill to be entitled An act relating to inter vivos trusts; amending subsection (1) of Section 689.075, Florida Statutes, to provide that inter vivos trusts shall not be ineffective for retention of more than one power by the settlor; amending subsection (2) to remove the requirement of execution with the formalities of the statute of wills, and to require two witnesses only; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.  $\,$ 

By Senators Sayler, Plante, Scarborough and Beaufort-

SB 1061—A bill to be entitled An act relating to members and employees of the judicial and legislative branches of state government and the public service commission; creating §112.075, Florida Statutes, authorizing a group life, disability and health insurance program; providing definitions; authorizing the joint management committee of the legislature in cooperation with the judicial administrative commission and the chairman of the public service commission to initiate and supervise the program; providing for promulgation of administrative rules and regulations; requiring insurance be awarded on a competitive basis; providing for voluntary participation in program; providing for salary deductions; authorizing the state to pay the cost of the program for participants; providing for coverage of dependents; providing for the handling of moneys contributed by the state and participants in program; providing an appropriation for carrying out the purposes of this act; providing an effective date.

Was read the first time by title and referred to the Committees on Rules, Calendar, Privileged Business and Ethics and Ways and Means.

By Senators Myers, Plante, Gunter, McClain, Beaufort, Sayler, Pope and Knopke—

SB 1062—A bill to be entitled An act relating to probation and parole; creating chapter 946, Florida Statutes, to establish a division of probation and parole within the department of health and rehabilitative services; providing definitions; providing for the selection of a director; delineating responsibilities of the division; providing for authority for employees; providing for supervision of persons placed on probation or parole; providing for access to information; providing for interviewing of state prisoners; providing for recommendation of

parole consideration by the secretary of the department of health and rehabilitative services; transferring \$947.22, Florida Statutes, relating to violation of parole, to \$946.10, Florida Statutes, and amending said section; transferring \$947.081, Florida Statutes, relating to community service units, to \$946.11, Florida Statutes, and amending said section; providing for confidentiality of records; authorizing an appropriation; creating \$947.011, Florida Statutes, to establish the parole commission; creating \$947.021, Florida Statutes, to provide for commission appointments; creating \$947.031, Florida Statutes, relating to tenure and removal of commission meetings; creating \$947.161, Florida Statutes, relating to powers of commission; creating \$947.161, Florida Statutes, providing for parole eligibility; creating \$\$947.171 and 947.172, Florida Statutes, to provide for a procedure for granting or denying parole; creating \$\$947.231 and 947.232, Florida Statutes, to provide for procedure upon charge for violation of parole; creating \$\$947.241, Florida Statutes, relating to discharge from parole; creating \$947.28, Florida Statutes, relating to discharge from parole; creating \$947.28, Florida Statutes, authorizing special studies and reports; amending subsections (2), (3), and (5) of \$948.01, Florida Statutes, relating to placing a person on probation, to reassign responsibilities to the department of health and rehabilitative services; amending subsections (3) and (9) of \$948.07, Florida Statutes, relating to work-release programs, to reassign responsibilities to the department of health and rehabilitative services; amending subsections (3) and (9) of \$948.07, Florida Statutes, relating to work-release programs, to reassign responsibilities to the department of health and rehabilitative services; amending \$949.08, Florida Statutes, reassigning rule making power to the secretary of the department of health and rehabilitative services; repealing \$947.24, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

By Senator Barrow-

SB 1063—A bill to be entitled An act relating to county tax assessors; validating payment of all commissions as billed by the various tax assessors of the state from July 1, 1967 until the effective date of this act; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Efficiency.

By Senator Boyd-

SB 1064—A bill to be entitled An act relating to elections; amending §99.012(4), Florida Statutes, as created by chapter 70-80, Laws of Florida, to provide that the requirement that public officeholders submit a resignation prior to seeking election to another office shall not apply to holders of an office for which they do not receive compensation other than travel and per diem expenses; providing an effective date.

By Senator Myers-

SB 1065—A bill to be entitled An act relating to an interstate agreement on detainers; providing procedures whereby a prisoner in one state can request to be brought to trial within one hundred eighty (180) days in another jurisdiction in order to determine the final disposition of all pending untried indictments, informations or complaints on the basis of which a detainer has been lodged against him; providing procedures whereby prosecuting authorities shall secure prisoners incarcerated in other jurisdictions for trial prior to the expiration of their sentences; providing for the promulgation of rules and regulations concerning the operation of this interstate agreement by the director of the division of corrections of the department of health and rehabilitative services; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

## By Senator Myers-

SB 1066—A bill to be entitled An act relating to pharmacy and pharmacists, providing new procedures for review from order of Florida board of pharmacy; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce.

## By Senator Myers-

SB 1067—A bill to be entitled An act relating to pharmacists and prescriptions, amending section 465.101(1)(e), Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce.

### By Senator Myers-

SB 1068—A bill to be entitled An act relating to forgery and counterfeiting, amending chapter 831, Florida Statutes, by adding section 831.30 to provide penalties for forging prescriptions; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

## By Senator Fincher-

SB 1069—A bill to be entitled An act relating to insurance; amending §324.151(1)(c), Florida Statutes, relating to financial responsibility; providing that automobile liability insurance policies shall contain a deductible provision of two hundred dollars (\$200) applicable to all coverage; providing that policies for nonprivate passenger vehicles may contain deductible provisions exceeding two hundred dollars (\$200); providing that insurers make annual reports to the department of insurance relating to such policies; adding subsection (8) to §322.26, Florida Statutes; providing that any person who fails to pay the deductible amount after a reasonable length of time shall have his operator's license revoked; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce.

## By Senators Gunter, Ducker and Plante-

SB 1070—A bill to be entitled An act relating to the Florida State Visitors' Pavilion to be located in Orange County; authorizing the State of Florida Department of Commerce to enter into contracts with private non-profit corporations for the management of such Pavilion and the leasing of space therein; amending Chapter 196, Florida Statutes, to provide an exemption from ad valorem taxation for the land and buildings used by the Pavilion; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

## By Senator Beaufort-

SB 1071—A bill to be entitled An act relating to drivers of motor vehicles involved in crashes; providing for a blood test for alcohol content of surviving drivers involved in a motor vehicle crash in which there are serious bodily injuries or in which there is property damage of five hundred dollars (\$500) or more; providing for collection, testing and report of data; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

## By Senator Beaufort—

SB 1072—A bill to be entitled An act relating to blood tests for alcoholic content: requiring such tests on bodies of deceased drivers of motor vehicles and deceased pedestrians fifteen (15) years of age or over involved in a motor vehicle crash; prescribing the requirement for performance of such tests; providing for the monthly tabulation of the results; providing results of tests not admissible in evidence; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

## By Senator Horne-

SB 1073—A bill to be entitled An act relating to court reporters' salaries and expenses; amending §29.04(1), Florida Statutes, to increase the present salary of said court reporters; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

#### By Senator Horne—

SB 1074—A bill to be entitled An act relating to official court reporters; amending §29.02, Florida Statutes, setting forth the duties of the official court reporter more specifically; amending §29.03, Florida Statutes, by providing that circuit judges have the authority to establish a uniform schedule of fees for appearances and transcripts by official court reporters; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

#### By Senator Broxson-

SB 1075—A bill to be entitled An act relating to retirement; amending section 121.021 (29) Florida Statutes, removing the word continuous as it relates to years of service; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

#### By Senator Broxson-

SB 1076—A bill to be entitled An act relating to motor vehicle licenses; adding paragraph (e) to section 320.08 (8), Florida Statutes, to provide for an "RV" series tag for travel trailers used solely for recreational purposes; providing a definition of said vehicles; amending section 320.081 (1), Florida Statutes, to add vehicles used for recreational purposes to the application of said section; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

## By Senator Plante-

SB 1077—A bill to be entitled An act relating to the regulation and certification of speech pathologists; amending section 468.148, Florida Statutes, by adding subsection (3) to eliminate from the application of said act, persons who teach alaryngeal speech; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce.

## By Senator Weissenborn-

SB 1078—A bill to be entitled An act relating to condominiums; amending section 711.121, Florida Statutes; providing that the total yearly cost of association leaseholds, memberships and other possessory or use interests shall not exceed twenty percent of the total yearly expenditure for maintenance, management or operation of the condominium property; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce.

## By Senator Weissenborn-

SJR 1079—A joint resolution proposing an amendment to section 2, article VI of the constitution of the state of Florida, relating to electors, to abolish the residency requirements of voter eligibility.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

## By Senator Pope-

SB 1080—A bill to be entitled An act creating a legislative counsel and legal services division under the Legislative Service Bureau; amending Section 11.22 and 11.24, Florida Statutes, defining the scope of duties; providing an effective date.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By the Committee on Transportation—

SB 1081—A bill to be entitled An act relating to drivers of motor vehicles; requiring a pre-arrest chemical blood or breath test for drivers under certain circumstances; providing a penalty; permitting further tests; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Transportation—

SB 1082—A bill to be entitled An act relating to the department of transportation; providing for a declaration of legislative intent that it is in the best interest of the state to engage in such cooperative programs as were authorized by the Federal Highway Acts of 1968 and 1970, which established a federal aid urban system; and a program entitled "Urban Traffic Operations Program for Increasing Capacity and Safety," referred to as TOPICS; creating §339.091, Florida Statutes; authorizing the expenditure of state road moneys and gas tax revenues to match federal funds for the planning and construction of certain roads conditioned upon the execution by local governments of agreement to provide a pro rata share of matching funds and to maintain such roads after completion; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By the Committee on Judiciary-Criminal-

SB 1083—A bill to be entitled An act relating to witnesses; providing that no person shall be prosecuted for any offense concerning which he was compelled to testify; amending section 914.04, Florida Statutes as amended by section 97, chapter 70-339, Laws of Florida, 1970; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1084—A bill to be entitled An act relating to arrests; amending section 901.15, Florida Statutes, to provide when arrests may be made without a warrant; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1085—A bill to be entitled An act relating to the Florida corrections code; amending section 944.40, Florida Statutes, by adding hospitals and other medical facilities to the list of institutions from which it is unlawful to escape; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1086—A bill to be entitled An act relating to the Florida corrections code; amending subsection (5) of section 944.02, Florida Statutes, by redefining the term "prisoner"; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1087—A bill to be entitled An act relating to burglary; amending subsection (1) of section 810.01, Florida Statutes, to provide that any breaking and entering of a dwelling house with intent to commit a felony is punishable by imprisonment for life; repealing subsection (2) of section 810.01, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1088—A bill to be entitled An act relating to tampering with jurors; creating section 843.20, Florida Statutes, to make intentional influencing of a juror a felony; providing for penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1089—A bill to be entitled An act relating to obstructing justice; creating section 843.19, Florida Statutes, to prohibit tampering with or fabricating physical evidence prior to or during the pendancy of an official proceeding or investigation; providing a penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1090—A bill to be entitled An act relating to crimes; creating section 843.141, Florida Statutes, by making misprision of felony a statutory crime; providing a penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary---Criminal---

SB 1091—A bill to be entitled An act relating to obstructing justice; creating section 843.17, Florida Statutes, to provide a penalty for any person tampering with witnesses or informants before prosecuting authorities, law enforcement authorities or legislative committees; prohibiting retaliation against such witnesses or informants; providing penalties; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1092—A bill to be entitled An act relating to obstructing justice; creating section 843.18, Florida Statutes, to make the acceptance of a bribe by witness or informant a felony; providing a penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1093—A bill to be entitled An act relating to appeals by state; amending section 924.07, Florida Statutes, by authorizing the appeal from all adverse trial rulings on questions of law and removing the limitation on the number of appeals from pretrial orders; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1094—A bill to be entitled An act relating to breaking and entering; amending section 810.07, Florida Statutes, as amended by section 1 chapter 70-29, Laws of Florida, to extend prima facie evidence of intent to apply to the entering of a building, ship, vessel, or railroad car; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1095—A bill to be entitled An act relating to perjury; adding section 837.021, Florida Statutes, to make perjury by contradictory statements under oath or affirmation a crime; providing that the question of whether a statement was material is to be determined by the court, that it is not necessary to prove which statement was not true, and that belief that statement was true is a defense; providing penalties; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1096—A bill to be entitled An act relating to search warrants; amending section 933.02, Florida Statutes, by adding subsection (5) to allow the issuance of a search warrant when evidence of any crime is contained therein; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1097—A bill to be entitled An act relating to search warrants; amending subsection (6) and (7) of section 933.18, Florida Statutes, to authorize the issuance of a search warrant for a private dwelling containing evidence of any crime or containing the means by which a misdemeanor has been committed; deleting requirement for sworn proof of a creditable witness; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1098—A bill to be entitled An act relating to vagrancy; creating section 856.021, Florida Statutes, to prohibit loitering or prowling under circumstances warranting a justifiable and reasonable alarm or immediate concern for the safety of persons or property; providing a penalty; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1099—A bill to be entitled An act relating to burglary; creating section 810.021, Florida Statutes, to make the penalty for a second offense of breaking and entering in certain cases a life sentence or a term of years; providing effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1100—A bill to be entitled An act relating to recommendation to mercy; amending section 921.141, Florida Statutes, as amended by section 119, chapter 70-339, Laws of Florida; to provide for a bifurcated trial for capital offenses; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1101—A bill to be entitled An act relating to murder; amending subsection (1) of section 782.04, Florida Statutes, by specifying that mercy may be recommended by a majority of the jury for murder in the first degree; providing penalty; providing effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1102—A bill to be entitled An act relating to rape and forcible carnal knowledge; amending section 794.01, Florida Statutes, to implement split trial procedure; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1103—A bill to be entitled An act relating to kidnaping for ransom; amending section 805.02, Florida Statutes, to implement split trial procedure; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1104—A bill to be entitled An act relating to weapons and firearms; amending section 790.16, Florida Statutes, to implement the split trial procedure for the offense of discharging bombs and machine guns; providing an effective date.

 $Was\ read\ the\ first\ time\ by\ title\ and\ referred\ to\ the\ Committee\ on\ Judiciary—Criminal.$ 

By the Committee on Judiciary-Criminal-

SB 1105—A bill to be entitled An act relating to arrests; amending subsection (5) of section 901.151, Florida Statutes, to clarify the stop and frisk law; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary—Criminal—

SB 1106—A bill to be entitled An act relating to shoplifting; amending subsections (1), (2), (3) and (4) of section 811.022, Florida Statutes; and adding subsections (5), (6), (7) and (8) thereto by providing for search and seizure, prima facie presumption of intent, fingerprinting and judgment; providing penalties; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1107—A bill to be entitled An act relating to forgery of credit cards; amending section 817.60, Florida Statutes, by adding subsection (8), to make signing a sales draft with unauthorized use of another's credit card a violation; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1108—A bill to be entitled An act relating to trials of persons in custody, repealing section 909.23, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1109—A bill to be entitled An act relating to driving while under the influence of alcoholic beverages, drugs, etc.; amending section 317.201, Florida Statutes, by adding a subsection (3) providing penalties for a driver who causes property damage, personal injury or death while under the influence of alcoholic beverages, marijuana or narcotic drugs as defined in chapter 398, chemical substance as defined in section 877.-11, or barbiturates, central nervous system stimulants, halucinogenic drugs or any other drugs defined in chapter 404, when affected to the extent that his normal faculties are impaired; further amending section 317.201, by adding subsection (4) providing that convictions under the provisions of section 317.201 shall not be a bar to any civil suit for damages against the person so convicted; further amending section 317.201 by adding subsection (5) providing for certain presumptions and inferences depending upon evidence showing the weight of alcohol in the blood as determined by chemical tests of the blood or breath; further amending section 317.201, Florida Statutes, by adding subsection (6) providing for a jury trial, upon demand, of any cases brought under section 317.201, whether in a municipality or not; repealing sections 860.01, 322.261 and 322.262; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By the Committee on Judiciary-Criminal-

SB 1110—A bill to be entitled An act relating to obstructing justice; amending section 843.15, Florida Statutes, to provide

that failure of defendant on bail to appear in certain cases is a felony; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary-Criminal.

By Senators Karl and Barron-

SB 1111—A bill to be entitled An act relating to the Florida state library, division of library services of the department of state; amending section 257.01 and subsection 257.02(1), Florida Statutes, to increase division's advisory council membership from seven (7) to thirteen (13) members; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Efficiency.

By Senator Horne-

SB 1112-A bill to be entitled An act relating to the department of health and rehabilitative services; creating §402.21, Florida Statutes; establishing in the department a program for the care and financial assistance of persons suffering from chronic renal diseases; establishing an advisory council in con-nection therewith; designating powers and duties of the council; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Ways and

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas President of the Senate

April 30, 1971

Sir

I am directed to inform the Senate that the House of Representatives has passed as amended-

By Representative Shaw and others-

HB 677—A bill to be entitled An act relating to electric cooperative corporations, amending 425.22 and 425.29, Florida Statutes, providing for disposition of property of electric cooperative corporations, and providing for the pledge or mortgage of property of electric cooperative corporations to secure debts or obligations to the United States of America or to any debts or obligations to the United States of America or to any other corporation, person or entity lending money or credit to such cooperative; also providing for exemption from the sale of securities law for any note, bond or other evidence of indebtedness issued by a rural electric cooperative or foreign corporation transacting business under Chapter 425 and providing for the exemption of any mortgage deed or trust or any other security agreement executed to secure any of the same: providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

HB 677, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas President of the Senate

April 29, 1971

I am directed to inform the Senate that the House of Representatives has passed, as amended, by the required two-thirds vote of all Members elected to the House—

By Representative Miers-

HB 3-A bill to be entitled An act providing for the relief of Terry Schlichenmaier; providing an appropriation; providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives HB 3, contained in the above message, was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Ways and Means.

The Honorable Jerry Thomas President of the Senate

April 30, 1971

I am directed to inform the Senate that the House of Representatives has passed as amended-

By Representative Culbreath—

HB 158—A bill to be entitled An act relating to the public show or sale of horses; prohibiting the soring of horses for public show or sale; prohibiting the administration of certain drugs to horses for the purpose of public show or sale; providing definitions; providing for inspection of horses at public show or sale to determine violations; providing procedures for enforcement of this act; providing penalties; providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

HB 158, contained in the above message, was read the first time by title and referred to the Committee on Judiciary-

The Honorable Jerry Thomas President of the Senate

April 29, 1971

I am directed to inform the Senate that the House of Representatives has passed, as amended, by the required two-thirds vote of all Members elected to the House—

By Representative Murphy-

HB 299-A bill to be entitiled An act for relief of Thomas C. Griffith; providing for an appropriation to compensate him for damages to his motor vehicle sustained as a result of the negligence of the Florida department of transportation; providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

HB 299, contained in the above message, was read the first time by title and referred to the Committees on Personnel, Re-tirement and Claims and Ways and Means.

The Honorable Jerry Thomas President of the Senate

April 29, 1971

I am directed to inform the Senate that the House of Representatives has passed, as amended, by the required two-thirds vote of all Members elected to the House—

By Representative Chapman-

HB 346—A bill to be entitled An act relating to the relief of Jarous R. Kent; making an appropriation to compensate for personal injuries sustained by him when struck and knocked down by a tractor belonging to the Florida forest service and driven by a Florida forest service employee on land of Jarous R. Kent; providing an effective date.

By Representative Chapman-

HB 347—A bill to be entitled An act relating to the relief of Mary Creamer; providing for an appropriation to compensate her for injuries to her person and property sustained by her

as a result of the state division of adult corrections negligently allowing four (4) inmates to escape and assault her home and person; providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

House Bills 346 and 347, contained in the above message, were read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

The Honorable Jerry Thomas President of the Senate

April 30, 1971

I am directed to inform the Senate that the House of Representatives has passed-

By Representative Shaw and others-

HB 891—A bill to be entitled An act relating to electrical cooperative corporations, amending 425.04, Florida Statutes, expanding the powers given to electrical cooperative corporations to include the power to engage in the businesses of water distribution and sanitary sewage service.

By the Committee on Business Regulation and Representative Reeves-

CS for HB 411-A bill to be entitled An act relating to taxaation and corporate reports; amending subsection 608.32(1), Florida Statutes, by adding new paragraph (j) requiring corporations to declare they have paid all applicable documentary stamp taxes on stock subscriptions, issuances, and transfers; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 891 and CS for HB 411, contained in the above message, were read the first time by title and referred to the Committees on Judiciary—Civil A and Ways and Means.

The Honorable Jerry Thomas President of the Senate

April 30, 1971

I am directed to inform the Senate that the House of Representatives has passed as amended-

By the Committee on Business Regulation and Representative Hartnett-

CS for HB 342—A bill to be entitled An act relating to credit unions; amending §§657.08, 657.161, 657.17, and 657.18, Florida Statutes, authorizing credit union board of directors to appoint the credit committee; authorizing credit unions to pay seven and one-half percent (7½%) per annum dividend; authorizing credit unions to invest surplus funds in certificates of deposits of other credit unions and state and national banks; authorizing state chartered credit unions which purchase share insurance to elect to use the reserve requirements set forth in the federal laws: providing an effective date. forth in the federal laws; providing an effective date.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

CS for HB 342, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Senate recessed at 8:37 a.m.

The Senate was called to order by the President at 10:00 a.m. A quorum present-47:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Holianan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Excused: Senator Brannen

Prayer by Senator Philip Lewis:

O Lord, you have invited each one of us to make God's work our own. We are the instruments of the glory of God and the good of mankind. A most appropriate prayer is the following prayer of St. Francis of Assissi:
"Lord, make me an instrument of thy peace.

Where there is hatred, let me sow love.

Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light.

Where there is sadness, joy.
O Divine Master, grant that I may not so much seek to be consoled as to console;

To be understood, as to understand;

To be loved, as to love;

For it is in giving that we receive; It is in pardoning that we are pardoned; 'And it is in dying that we are born to eternal life."

The Senate pledged allegiance to the flag of the United States of America.

The Journals of April 30 and 29 were corrected and approved.

The Journal of April 28 was further corrected and approved as follows:

Page 195, counting from the bottom of column 2, lines 1 and 2, strike "certified to the House:" and insert: ordered engrossed

Page 197, column 2, strike line 33, and insert: On motion by Senator Karl, by two-thirds vote, SB 1019 was read the third time by title, passed and certified to the House. The vote

The Journal of April 22 was further corrected and approved as follows:

Page 148, counting from the bottom of column 1, line 30, strike "to execute director"

## REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Monday, May 3, 1971:

HB 932	SB 493	SB 50	SB 347
SB 1005	SB 494	SB 280	SB 349
SB 624	SB 495	SB 343	SB 351
SR 226	SB 497	SB 345	SR 271

George L. Hollahan, Jr. Chairman, Committee on Rules, Calendar, Privileged Business and Ethics The Committee on Health, Welfare and Institutions recommends the following pass:

SB 270 with 1 amendment SB 675 SB 609 SB 401 with 3 amendments

The Committee on Natural Resources and Conservation recommends the following pass: HB 439 with 1 amendment

The Committee on Judiciary—Civil A recommends the following pass: Senate Bills 929, 938, 947

The Committee on Agriculture recommends the following pass: HB 798 with 1 amendment

The Committee on Commerce recommends the following pass:

SB 883 SB 659 with 5 amendments HB 187 SB 877 SB 574 with 2 amendments HB 189 SB 923 HB 188

The Committee on Public Schools recommends the following pass: SB 834 with 3 amendments

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following pass: SB 260 with 4 amendments

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Health, Welfare and Institutions recommends the following pass: SB 622, SB 94, SB 84

The bills were referred to the Committee on Ways and Means under the original reference.

Th Committee on Judiciary—Civil A recommends a Committee Substitute for the following: HB 736

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Health, Welfare and Institutions recommends a Committee Substitute for the following: SB 528

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference.

The Committee on Health, Welfare and Institutions recommends the following not pass: SB 182

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following not pass: SB 80

The bills contained in the foregoing reports were laid on the table.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 1020 with 1 amendment reports that the Senate amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY Secretary of the Senate

The bill was certified to the House.

## BILLS REFERRED TO SUBCOMMITTEES

Consumer Protection Subcommittee: Senate Bills 896 and 836

Pursuant to Rule 4.14, Senator Horne gave notice of intention to move to take up SM 860 out of order.

## MOTIONS RELATING TO COMMITTEE REFERENCES

On motion by Senator Hollahan, by two-thirds vote, SCR 334 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and placed on the Calendar.

On motion by Senator Hollahan, the Committee on Rules, Calendar, Privileged Business and Ethics was granted an additional 15 days for the consideration of Senate Bills 720, 738, 749, 763, 797, SCR 724 and HB 780.

On motion by Senator Bishop, by two-thirds vote, HB 1337 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and placed on the Calendar.

On motion by Senator Plante, by two-thirds vote, SB 16 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and from further consideration of the Senate

On motion by Senator Bell, by two-thirds vote, SB 52 was withdrawn from the Committee on Judiciary—Civil A and from further consideration of the Senate.

On motion by Senator Knopke, the Committee on Natural Resources and Conservation was granted an additional 14 days for the consideration of Senate Bills 96, 259, 291, 325, 342, 453, 483, 515, 527, 689, 776 and HB 209.

On motion by Senator Lane, by two-thirds vote, SB 699 was withdrawn from the Committee on Transportation and from further consideration of the Senate.

On motion by Senator Bishop, unanimous consent was obtained to take up out of order—

HB 1337—A bill to be entitled An act relating to Wakulla County, district school board; amending §1 of chapter 70-975, Laws of Florida, which relates to the issuance of certificates of indebtedness payable from racetrack funds accruing annually to Wakulla County, to change the date of authorization therein; providing a retroactive effective date.

—which was read the second time by title. On motion by Senator Bishop, by two-thirds vote, HB 1337 was read the third time by title, passed and certified to the House. The vote was: Yeas—33 Nays—None

Johnson (29th) Saunders Mr. President Childers Arnold Daniel Johnson (34th) Scarborough de la Parte Knopke Stolzenburg Barron Trask Ducker Barrow Lane Lewis (33rd) Lewis (43rd) Weber Beaufort Fincher Bell Haverfield Wilson Bishop Henderson Myers Boyd Holiahan Ott Brantley Horne Plante

Senator Fincher moved that the Senate adjourn at 12:00 noon and the motion failed.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas President of the Senate May 3, 1971

Sir

I am directed to inform the Senate that the House of Representatives has passed SB 542.

Respectfully, ALLEN MORRIS Clerk, House of Representatives The Honorable Jerry Thomas President of the Senate

April 29, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 553.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas President of the Senate April 30, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 550.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

The bills, contained in the above messages, were ordered enrolled.

The Honorable Jerry Thomas President of the Senate April 30, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator McClain-

SB 199—A bill to be entitled An act relating to death benefits payable under the Florida retirement system; amending §121.-091(7)(c), Florida Statutes, to change the term "widow" to "surviving spouse" with regard to death benefits payable when a member of the Florida retirement system is killed in the line of duty; providing death benefits for the minor children of any member who leaves no surviving spouse; providing an effective date.

Which amendment reads as follows:

On page 2, lines 21 and 22, strike "upon becoming a law." and insert the following: October 1, 1971.

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 199.

SB 199 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—36 Nays—None

Mr. President Arnold Barrow Beaufort Bell Bishop Boyd	Childers Daniel de la Parte Ducker Fincher Graham Gunter	Hollahan Horne Johnson (29th) Johnson (34th) Karl Knopke Lane	Myers Ott Plante Stolzenburg Trask Ware Weber
Boyd Brantley	Gunter Haverfield	Lane Lewis (33rd)	Williams
Broxson	Henderson	Lewis (43rd)	Wilson

By unanimous consent Senator McClain was recorded as voting yea.

The Honorable Jerry Thomas President of the Senate April 30, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator McClain-

SB 370—A bill to be entitled An act relating to custodians of gifts to minors; amending chapter 710, Florida Statutes, by amending section 710.08; providing for resignation, death or removal of custodian; providing for method and designation of successor custodian; providing for transfer of custodial property; providing, in the alternative to removal, for a custodial performance bond; providing an effective date.

Which amendment reads as follows:

On page 4, strike all of lines 19 and 20 and insert the following: Section 2. This act shall take effect October 1, 1971.

-and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator McClain, the Senate concurred in the House amendment to SB 370.

SB 370 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Sayler
Beaufort	Fincher	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weber
Brantley	Henderson	Myers	Weissenborn
Broxson	Hollahan	Ott	Wilson
Childers	Johnson (29th)	Piante	

The Honorable Jerry Thomas President of the Senate April 30, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator de la Parte-

SB 122—A bill to be entitled An act relating to the probate of small estates; amending sections 735.01 and 735.04(2), Florida Statutes, to increase to fifteen thousand dollars (\$15,-000) the maximum value of estates for which administration may be dispensed with under certain conditions; providing an effective date.

## Amendment 1

On page 2, lines 18 and 19, strike All of Section 3 and insert the following: Section 3. This act shall take effect January 1, 1972.

Amendment 2

On page 2, line 9, strike "fifteen thousand dollars (\$15,000)" and insert the following: ten thousand dollars (\$10,000)

Amendment 3

On page 1, lines 18 and 19, strike "fifteen thousand dollars (\$15,000)" and insert the following: ten thousand dollars (\$10,000)

#### Amendment 4

On page 1 in title, line 8, strike "fifteen thousand dollars (\$15,000)" and insert the following: ten thousand dollars (\$10,000)

-and requests the concurrence of the Senate therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motions by Senator de la Parte, the Senate concurred in the House amendments to SB 122.

SB 122 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—39 Nays—None

Mr. President Arnold	Daniel de la Parte	Johnson (29th) Johnson (34th)	Plante Reuter
Barrow	Ducker	Kari	Saunders
Beaufort	Fincher	Knopke	Stolzenburg
Bell	Graham	Lane	Trask
Bishop	Gunter	Lewis (33rd)	Ware
Boyd	Haverfield	Lewis (43rd)	$\mathbf{Weber}$
Brantley	Henderson	McClain	Weissenborn
Broxson	Hollahan	Myers	Wilson
Childers	Horne	Ott	

On motion by Senator Poston, the rules were waived and Barry Locke, chief administrative assistant to John Volpe, Secretary of the Department of Transportation, Washington, D. C., was granted privileges of the floor.

## SENATE RESOLUTION

SR 902—A senate resolution requesting the president of the senate to direct the senate transportation committee to make a study into all aspects of the operation of tandem trailer combinations on the Florida turnpike and the feasibility of permitting operation on the interstate highway system.

Was read the second time in full.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

On page 1, lines 15, 16 and 17, strike "and the feasibility of permitting such operation on the interstate system"

On motion by Senator Poston, SR 902 as amended was read in full as follows:

SR 902—A senate resolution requesting the president of the senate to direct the senate transportation committee to make a study into all aspects of the operation of tandem trailer combinations on the Florida turnpike and the feasibility of permitting operation on the interstate highway system.

Be It Resolved by the Senate of the State of Florida:

That the president of the senate is hereby requested to direct the senate transportation committee to conduct a study into all aspects of the operation of tandem trailer combinations on the Florida turnpike including, but not limited to, the determination of necessary safety standards as they relate nationwide, the accident rate and methods for reporting accidents; the cost factor and related state revenue; and the impact of the operation on the consumer; and to submit a written report with findings, and recommendations to the senate in advance of the 1972 regular session of the legislature.

-and failed of adoption by voice vote.

## MATTERS ON RECONSIDERATION

The motion by Senator de la Parte on April 29 to reconsider the vote by which HB 1257 failed to pass by the required threefourths vote was taken up and adopted; and the Senate reconsidered the vote.

On motion by Senator de la Parte, further consideration of HB 1257 was deferred.

Notice having been given pursuant to Rule 4.14, on motion by Senator Horne, consent was obtained to take up out of order—

SM 860—A memorial to the Congress of the United States requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States pertaining to eight-year terms for judges of the Supreme Court and inferior courts thereof.

WHEREAS, the government of the United States is structured upon a system of checks and balances so that no branch thereof may exercise authority unbridled by restraint from another branch thereof, and

WHEREAS, members of the Congress of the United States and the President of the United States and the Vice-President thereof are required at intervals of no longer than six years to submit their records of performance to the vote of the electorate, and

WHEREAS, in the case of the Presidency, even the vote of the electorate has been limited by a constitutional amendment ratified by the people in 1951 which permits the election of a person to no more than two consecutive four-year terms of service, and

WHEREAS, in contrast to the foregoing, the ultimate judicial power of the United States is vested in the Supreme Court and its judges are appointed to serve during good behavior, permitting no review or reprimand of their administration of such offices by any balancing authority and permitting them to retain their offices indefinitely, subject to termination only by death, resignation, or impeachment, and

WHEREAS, the judges of the inferior courts of the United States likewise are appointed to serve during good behavior and retain their offices indefinitely, subject to termination only by death, resignation, or impeachment, and

WHEREAS, although the traditional recognized balance of power has been vested in three separate and independent branches of government with checks and balances on each, an exception has now become apparent in that the Judges of the United States Supreme Court and its inferior courts in reality answer to no one for their actions, NOW, THEREFORE,

## Be It Resolved by the Legislature of the State of Florida:

That the Florida Legislature respectfully applies to the Congress of the United States to call a convention for the sole purpose of proposing the following article as an amendment to the Constitution of the United States:

The judges of the Supreme Court and the judges of inferior courts shall hold their offices for terms of eight (8) years. On the expiration of a term, a judge shall be eligible for another term upon receiving the consent of the senate, as in the case of original appointment. Judges in office on the effective date of this provision shall hold their offices for terms of eight (8) years from that date and shall be eligible for succeeding terms as provided above.

BE IT FURTHER RESOLVED that if the Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to January 1, 1976, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched forthwith to the President of the United States, to the Vice-President of the United States as presiding officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—which was read the second time in full. On motion by Senator Horne, SM 860 was adopted and certified to the House. The vote was:

Yeas-35

Johnson (34th) Poston Mr. President Daniel Karl Knopke Sayler Ducker Arnold Stolzenburg Barrow Fincher Trask Beaufort Gunter Lane Lewis (33rd) Haverfield Ware Bishop Henderson McClain Weber Brantley Hollahan Ott Williams Wilson Broxson Horne Plante Johnson (29th) Childers Pope

Nays—5

Graham Myers Weissenborn

Lewis (43rd) Reuter

By unanimous consent, Senators Barron, Boyd, Saunders and Scarborough were recorded as voting yea.

## SPECIAL AND CONTINUING ORDER

HB 932—A revisor's bill to be entitled An act relating to legislation; repealing specified general laws of local application; providing legislative intent; preserving matters relating to judiciary; providing for exercise of powers by local governments; providing for non-impairment of obligations; providing severability; providing effective date.

Was read the second time by title.

Senators Hollahan and Haverfield offered the following amendment which was adopted on motion by Senator Hollahan:

On page 28, after line 24, section 3, insert the following: (5) Pending such repeals as are authorized in this section, such ordinances or enactments may continue to conflict with general state law to the extent authorized on January 1, 1971.

On motion by Senator Hollahan, by two-thirds vote, HB 932 as amended was read the third time by title and passed. The vote was:

Yeas—36

Mr. President Arnold Barrow Beaufort Bell	Gong Graham Gunter Haverfield Hollahan	Lane Lewis (33rd) Lewis (43rd) McClain Myers	Sayler Scarborough Stolzenburg Trask Ware
Broxson	Horne	Ott	${f Weber}$
Childers	Johnson (34th)	Plante	Weissenborn
Daniel	Karl	Pope	Williams
Ducker	Knopke	Saunders	$\mathbf{Wilson}$

Nays-1

## Brantley

On motion by Senator Hollahan, by two-thirds vote, HB 932 was immediately certified to the House.

SB 1005—A bill to be entitled An act relating to financial responsibility; creating §§324.032, 324.105 and 324.225, and amending §§324.031, 324.051(1) and (2)(a), 324.061(1), 324.071, 324.072(3), 324.081(3), 324.121(2), 324.131, 324.181(1), 324.201 and 324.251, all Florida Statutes; providing that all owners or operators of motor vehicles in this state shall have proof of financial responsibility; requiring such proof before registration; eliminating the first accident requirement; eliminating certain exemptions from provisions concerning suspension of license and registration of persons having accidents without proof of financial responsibility and requiring said persons deposit security with the department; providing that reinstatement of license or registration be obtainable only after compliance with financial responsibility requirements and that said reinstatement be valid only for so long as such requirements are in effect; providing that any owner or operator who does not comply with the financial responsibility requirements shall have his license and registration revoked by the department;

providing that nonresident motorists comply with certain provisions; providing for notice to other jurisdictions; providing a change in the short title for chapter 324, Florida Statutes; providing an effective date.

Was taken up pending roll call, having been read the third time and deferred on April 28.

On motion by Senator Karl, the following amendment was adopted by two-thirds vote:

On page 3, line 10, section 2, strike "1973" and insert 1972

On motion by Senator Broxson, the following amendment was adopted by two-thirds vote:

On page 4, line 13, Section 3, after "vehicles" insert: or any sheriff, police department or peace officer of this state

On motion by Senator Pope, the following amendment was adopted by two-thirds vote:

On page 15, line 18, after the word "unless", strike "ten days" and add the following: forty-five days

#### Senator Daniel presiding.

On motion by Senator Scarborough, the following amendment was adopted by two-thirds vote:

On page 3, line 19, section 2, following the word "cancellation" insert the following: with the knowledge of the owner,

On motion by Senator Karl, SB 1005 as amended was read by title, passed and ordered engrossed. The vote was:

#### Yeas-40

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barrow	Ducker	Karl	Reuter
Beaufort	Fincher	Knopke	Scarborough
Bell	Gong	Lane	Stolzenburg
Bishop	Graham	Lewis (33rd)	Trask
Boyd	Gunter	Lewis (43rd)	Ware
Brantley	Haverfield	McClain	Weissenborn
Childers	Hollahan	Myers	Williams
Daniel	Horne	Ott	Wilson

## Nays-4

Broxson Plante Saunders Weber

By unanimous consent Senator Barron was recorded as voting yea; Senator Bishop changed his vote from yea to nay.

SB 624—A bill to be entitled An act relating to insurance; adding subsection (4) to §624.0217, Florida Statutes, to provide that the department of insurance may revoke an insurer's certificate of authority for failure to maintain proper ratio of net written premiums to surplus as to policyholders; providing an effective date.

Was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Karl:

On page 1, line 20, section 1, strike "two" and insert: four

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Karl:

On page 1, line 22, section 1, after the word policyholders, strike the period (.) and add: , provided however, the provisions of this subsection (4) shall not apply to life and disability insurers.

On motion by Senator Poston, by two-thirds vote, SB 624 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—40 Nays—None

de la Parte Tohnson (90th) Dianto Wilson	Mr. President Arnold Beaufort Bell Bishop Brantley Broxson Childers Daniel	Ducker Fincher Gong Graham Gunter Haverfield Henderson Hollahan Horne	Johnson (34th) Karl Knopke Lane Lewis (33rd) Lewis (43rd) McClain Myers Ott	Pope Poston Reuter Saunders Sayler Scarborough Stolzenburg Weissenborn Williams
	de la Parte	Horne Johnson (29th)	Ott Plante	Williams Wilson

By unanimous consent Senator Boyd was recorded as voting yea.

## The President presiding.

SB 226—A bill to be entitled An act relating to automobile liability insurance; amending §627.0851(1), Florida Statutes, relating to uninsured motorist coverage, to provide that such coverage shall be in an amount of up to one hundred percent (100%) of the liability insurance purchased by the insured; adding provisions with respect to such coverage on leased vehicles; adding provisions with respect to such coverage and benefits payable under workmen's compensation or similar benefits; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 226 was read the third time by title, passed and certified to the House. The vote was: Yeas—45 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
$\mathbf{Bell}$	Graham	Lewis (43rd)	Weber
Bishop	Gunter	McClain	Weissenborn
Boyd	Haverfield	Myers	Williams
Brantley	Henderson	Oťt	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

On motion by Senator de la Parte, the rules were waived and the Senate reverted to—

## MATTERS ON RECONSIDERATION

The Senate resumed consideration of-

HB 1257—A bill to be entitled An act relating to a special election to be held on July 6, 1971, pursuant to Section 5 of Article XI of the State Constitution for the approval or rejection by the electors of Florida of a joint resolution limiting

the prohibition against estate, inheritance and income taxes to natural persons only; providing for publication of notice and procedures; providing an effective date.

On motion by Senator de la Parte, by two-thirds vote, the Senate reconsidered the vote by which HB 1257 was placed on third reading.

On motions by Senator Horne, the Senate reconsidered the votes by which the two amendments to HB 1257 were adopted on April 29. By permission Senator Horne withdrew the amendments.

Senator Hollahan moved that time of adjournment be extended until final action on HB 1257. The motion was adopted by two-thirds vote.

Senators de la Parte and McClain offered the following amendment which was adopted on motion by Senator de la Parte:

On page 1, line 17, section 1, strike "July 6, 1971," and insert: September 14, 1971,

The vote was:

## Yeas-35

Mr. President	Deeb	Horne	Poston
Arnold	de la Parte	Johnson (34th)	Reuter
Beaufort	Fincher	Karl `	Saunders
Bishop	Gong	Knopke	Scarborough
Boyd -	Graham	Lewis (33rd)	Trask
Brantley	Gunter	Lewis (43rd)	Weissenborn
Broxson	Haverfield	McClain	Williams
Childers	Henderson	Myers	Wilson
Daniel	Hollahan	Pope	***************************************

## Nays—10

11410	Barrow Bell Ducker	Johnson (29th) Lane Ott	Plante Stolzenburg Ware	Weber
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During consideration of HB 1257, the President declared the Senate adjourned because of an anonymous telephone call received by the Office of the Secretary of the Senate to the effect that a bomb had been placed in the State Capitol. HB 1257 was placed on the Calendar for May 4 under the Order of Unfinished Business.

The Senate adjourned at 1:14 p.m. to reconvene at 8:30 a.m., May 4, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions; and thereafter to reconvene at 9:00 a.m., May 4, 1971.

## JOURNAL OF THE SENATE

# LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE APRIL 26, 1971 THROUGH APRIL 30, 1971

Name and Address	Entity Represented and Address	Particular Legislation Involved	Direct Business Association or Partner- ship with Legislator
Benton, Stephen Holland Valencia Jr. College Orlando 32803	Valencia Jr. College Same address	Fla. Jr. College budgets	None
Bowen, Stephen Edward Valencia Jr. College Orlando 32803	Valencia Jr. College Same address	Fla. Jr. College budgets	None
Brewer, Walter C. 1120 Dunmire St. Pensacola 32504	Brotherhood of Locomotive Engineers Same address	Labor relations	None
Conger, Jerome N. 908 S. Bronough Tallahassee 32301	Fla. Health Planning Council Same address	All health related legislation	None
Coulter, Clinton Huxley, Jr. Dept. of State The Capitol Tallahassee 32304	Dept. of State Same address	Bills relating to the Dept. of State	None
Cox, Val, Sr. 501 Pulliam St. S. W. Atlanta, Ga. 30312	Service-Employees INTL Union AFL-CIO 900 17th St., N. W. Washington, D. C. 20006	Labor laws, public & private	None
Depew, Clayton Henry P. O. Box 2613 Tallahassee 32304	Self Same address	Bills relating to boating, fishing & the like	None
Early, Lloyd Franklin Belvedere & W. 6th West Palm Beach 33406	Supt. of Schools - Palm Beach Co. West Palm Beach	Education	None
Gates, Donald Harvey 4356 Genoa Ave. Jacksonville 32210	Fraternal order of police Same address	Police bills	None
Gillespie, John R., Jr. 13 Frat Row Gainesville 32601	United Student Assn. 313 Reitz Union University of Fla. Gainesville 32601	General legislation concerning universities	None
Haddock, Jewell F. 1365 Edgewood Ave. Jacksonville 32205	Fla. P.T.A. 1747 Orlando Central Pkwy. Orlando 32809	Welfare of children & youth	None
Harris, Ronald L. 9853 E. Fern St. Perrine 33157	Fla. Chiropractic Assn. 808 N. Mills St. Orlando	Chiropractic profession	None
Hinton, Herbert Ernest 127 E. Dania Beach Blvd. Dania 33004	Fla. Chiropractic Assn. 808 N. Mills St. Orlando	Chiropractic profession	None
Jones, A. Ridgely 1515 N. Westshore Blvd. Tampa 33607	Peninsula Motor Club (AAA) Same address	Any legislation affecting motorists	None

## JOURNAL OF THE SENATE

## LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE APRIL 26, 1971 THROUGH APRIL 30, 1971 (Continued)

Name and Address	Entity Represented and Address	Particular Legislation Involved	Direct Business Association or Partnership with Legislator
Kennelly, F. Bradley 2616 Gulf Life Tower Jacksonville 32207	Associates Corporate Services Co., Inc. 1700 Mishawaka Ave. South Bend, Ind. 46624	Small Loan Licensing	None
Kilgore, James Richard 4222 Sloane St. Jacksonville 32206	J.E.A. Fraternal Orders Govern- ing Council P. O. Box 4451 Jacksonville 32201	Collective bargaining, pensions, & insurance	None
Koon, R. Kelly Room 102 The Capitol Tallahassee 32304	Dept. of State Same address	Dept. of State legislation	None
Lapham, David M. 17015 N. E. 19th Ave. N. Miami Beach 33162 Lewis, Harold Davis	City of N. Miami Beach Same address  Fla. State Elks Assn., Inc.	All bills affecting city	None
Tallahassee Bank & Trust Bldg. Suite 640 Tallahassee 32301 Lewis, Harold Davis	Suite 1137 City National Bank Bldg. Miami 33130	General	None
Tallahassee Bank & Trust Bldg. Suite 640 Tallahassee 32301	Fla. Assn. of Assessing Officers Alachua County Courthouse Gainesville International Chemical Workers	General	None
Marshall, Allen Stuart 1803 LeRoy Dr. Haines City 33844	Union P. O. Box 256 Mulberry 33860 Wometco Enterprises, Inc.;	Labor	None
Messer, James E. 131 N. Gadsden Tallahassee 32301  Nalley, George John	Marine Exhibition Co. 301 N. Miami Ave. Miami	Taxation	None
1520 N. W. 134 St. Miami 33167	Dade Co. Assn. of Fire Fighters Same address	Fire fighters legislation	None
Parker, Marion F. 220 Center Bldg. Tallahassee 32304	Fla. Employment Assn. 5600 Mariner St. Tampa	SB 896 Legislation affecting private employment agencies	None
Roberts, Loveda Agnew 401—150th Ave. Madeira Beach 33708	Cosmetology Same address	Cosmetology legislation & Right to work—SB 158	None
Ross, Stephen Paul 2001 N. W. 7 St. Miami 33125	City of Miami Dinner Key Auditorium Miami	Municipal	None
Sauls, N. Sanders 305 S. Gadsden Tallahassee 32301	Fla. Assn. of Broadcasters 4th Floor Stadium Bldg. Box 1444 Gainesville	Matters affecting news media	None

## LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE APRIL 26, 1971 THROUGH APRIL 30, 1971 (Continued)

Name and Address	Entity Represented and Address	Particular Legislation Involved	Direct Business Association or Partner- ship with Legislator
Saunders, Edward M. 2020 McGregor Blvd. Ft. Myers 33901	State Bd. of Chiropractic Examiners 7438 Biscayne Blvd. Miami 33138	Chiropractic legislation	None
Schueler, Frank William 1300 W. Broward Blvd. Ft. Lauderdale 33301	Fraternal order of police 4201 N. W. 21 St. Ft. Lauderdale 33313	Police bills	None
Shepard, Alfred Clayton One W. Church St. Orlando 32801	Fla. Securities Dealers Assn. c/o T. Nelson O'Rourke, Inc. Daytona	Legislation affecting Fla. Securities Dealers & Municipal finance matters	None
Whiteacre, Charles A., Mayor 801 W. 49th St. Hialeah 33012	City of Hialeah 501 Palm Ave. Hialeah 33011	Senate bills affecting cities	None